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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/518,570

12/21/2004

Ralf Kohler

PD020056

8416

7590  
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06/25/2008

EXAMINER

NOONAN, WILLLOW W

ART UNIT

PAPER NUMBER

2146

MAIL DATE

DELIVERY MODE

06/25/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/518,570

**Applicant(s)**

KOHLER, RALF

**Examiner**

WILLOW NOONAN

**Art Unit**

2146

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 3/25/2008 have been fully considered but they are not persuasive.

Applicant first argues that, because Rigole may suggest communications are conducted by means of IP protocol and with the help of a Web browser, Rigole does not teach the searching limitations of claim 1. However, Examiner has employed Rigole to illustrate that it is well known to provide to devices on an internal network a service for searching data on an external network.

Applicant next argues that Akatsu does not describe the data reformatting of claim 1. However, Akatsu clearly teaches this formatting and routing functionality. See Akatsu at col. 9, lines 33-51.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 through 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Akatsu (U.S. Patent No. 6505255) in view of Humpleman (U.S. Patent No. 5940387),

Phillips (U.S. Patent App. Pub. No. 2004/0163126), and Rigole (U.S Patent No. 7139728).

Regarding claim 1, Akatsu teaches a module for search and integration of data for devices in a home network (Fig. 5, 504), the home network having a plurality of individual devices which are connected to one another and communicate among one another via one or more protocols defined for the home network (Fig. 5, 508, 512, 524, etc.), the home network having at least one connecting device (Fig. 5, 504) which allows communication between the home network, and the external network. *See Akatsu, Abstract.* Akatsu teaches the module being able to receive requests for data of the external network from at least one device not capable of independently requesting data of the external network, the request being in a format according to the one or more protocols defined for the home network. *See Akatsu, col. 3, lines 40-50; Akatsu at col. 9, lines 33-51.*

Akatsu does not explicitly teach that said module is able to receive information about external services and has a search unit for making this data available to devices on the home network. However, Humplemann does teach a network interface unit that performs the interfacing between external and internal networks, making external services available to all terminals on the internal network. *See Humpleman, Abstract, lines 5-9.*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used Humpleman's disclosed functionality in Akatsu's module because Humpleman teaches that there is a need and desire for a home

network that provides interconnectivity to products in a home and to external networks and which makes external services available to devices on the home network. See Humpleman, col. 1, lines 65-67, col. 2, lines 1-4.

Akatsu does not explicitly teach that the module has search functionality. However, Rigole teaches a search module for searching the availability of specific data at the providers in the external network. See Rigole, col. 14, lines 10-21 ("... may include or be associated with a computer system that includes a Services Search Module. One possible module is as follows. The Module allows consumers to search for services that are not represented on the system site. The consumer enters certain descriptors or 'keywords' and then initiates a search. The search results are listed in order of relevance. This feature would normally be provided to consumers for free and powered by one of the many available search engines such as AltaVista, Yahoo!, Excite, or by a custom developed search engine.").

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rigole's search module in Akatsu's network module because Rigole teaches a computer system for interfacing internal users with external networks and services. See Rigole, *Abstract*. Rigole further teaches that it is desirable to allow users on a local network to search for data in an external network. See Rigole, col. 14, lines 10-21.

Regarding claims 2, 3, and 6, Akatsu also teaches that the module can convert data of the external network into a format which corresponds to the format used on the internal network and vice versa. See Akatsu, *Abstract*.

Regarding claim 4, it would have been obvious to one of ordinary skill in the art to make the module updatable. It has always been a desirable goal in the art to make devices updatable so that new functionality can be added after deployment, and it is therefore inherent that the functionality of the module is updatable.

Regarding claim 5, Akatsu discloses that the module communicates with the devices of the home network using a protocol of the home network. See Akatsu, col. 3, lines 35-50.

Regarding claim 7, Akatsu further teaches that a node on the network may use a memory to store data being transferred. See Akatsu, col. 5, lines 6-13.

Regarding claim 8, Akatsu teaches that the external network can be the internet. See Akatsu, col. 10, lines 19-27.

Regarding claim 9, Humpleman further teaches that the data can be text, audio, or video data. See Humpleman, col. 3, lines 24-32.

Regarding claim 10, Akatsu further teaches that the module communicates with the devices of the home network via a data bus (Fig. 5, 568).

Regarding claim 11, Akatsu does not teach that the module can be integrated into the connecting device. However, Phillips teaches a similar module for delivering data to devices in a home network and that said module can be integrated into the connecting device. See Phillips, p. 5, paragraph 40; Phillips, Fig. 1A.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used Philip's integration technique in Akatsu's module because Phillips teaches that the disclosed method and apparatus can be used to

deliver data streams on an external network to customer devices on an internal home network. *See Phillips, Abstract.*

Regarding claim 12, Akatsu teaches that the module is able to receive and process data from the external network and send data from the home network into the external network, *See Akatsu, Abstract; Akatsu, Fig. 23.*

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. The examiner requests, in response to this Office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and

line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

6. When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willow Noonan whose telephone number is (571) 270-1322. The examiner can normally be reached on Monday through Friday, 7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Art Unit: 2146

/Willow Noonan/

Examiner, Art Unit 2146

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146